

**Programmatic Approaches Subcommittee:  
Recommended Guidelines for the Development,  
Implementation and Evaluation For Non-Secure Juvenile  
Facility**

**Subcommittee Members:**

Alex Escarcega  
Dr. Walter Broadnax  
Charles Miller  
Eugene Kinlow  
Father Russell Dillard

## TABLE OF CONTENTS

INTRODUCTION .....	3
ADMINISTRATION .....	5
FISCAL MANAGEMENT .....	6
PERSONNEL .....	7
STAFFING PATTERNS .....	11
TRAINING .....	11
FACILITY .....	13
LIFE SAFETY .....	13
ELECTRICAL SAFETY .....	14
TOXIC, CAUSTIC, AND FLAMMABLE MATERIALS .....	15
PEST CONTROL .....	16
SANITATION AND HYGIENE .....	17
JUVENILE SAFETY AND SUPERVISION .....	17
SUPERVISION OF JUVENILE OFFENDERS .....	19
JUVENILE OFFENDER DISCIPLINE .....	19
ADMINISTRATIVE REMEDY PROCEDURES .....	23
REFERRAL AND INTAKE .....	23
SERVICES .....	23
JUVENILE OFFENDER RIGHTS .....	26
CASE MANAGEMENT .....	27
PROGRAMMING OF JUVENILES .....	29
RECORDS AND REPORTS .....	34
ESCAPES, DEATHS, AND SIGNIFICANT INCIDENTS .....	35
RELEASE FROM SERVICE OF SENTENCE .....	35
SEXUAL ABUSE/ASSAULT PREVENTION AND INTERVENTION .....	36
JUVENILES UNDER SUPERVISION .....	36
RESEARCH AND EVALUATION .....	37
INSPECTIONS .....	37
References .....	38

## INTRODUCTION

### A. BACKGROUND

The Programmatic Approaches Subcommittee recommends performance requirements for the comprehensive management and operation of a non-secure juvenile correctional/treatment facility by the Youth Services Administration (YSA). The terms “non-secure”, “staff secure”, “community-based” and “juvenile community residential” are used interchangeably to describe a facility that is not necessarily surrounded by a high security fence, and provides for the reintegration of juvenile offenders to the community by allowing them access to the community in an effort to achieve treatment and correctional objectives. Youth Services Administration or contractor should be responsible for ensuring the safety, care, security, control, accountability and custody of juvenile offenders, and providing for public protection through a system of written policies, procedures, and practices that are based on recognized juvenile correctional practices.

### B. OBJECTIVE

The objective of Youth Services Administration should be to provide rehabilitation and accountability for DC juvenile offenders in a non-secure setting and provide public protection by monitoring the offenders’ activities in the community. These offenders include those placed on probation by the Superior Court for the District of Columbia.

The District of Columbia should **not** be considered the legal guardian of juveniles in these facilities. Guardianship remains with the parents or legal guardian, unless otherwise ordered by the Superior Court for the District of Columbia.

### C. Explanation of Terms

1. **Youth Services Administration (YSA):** A component of the Department of Human Services, providing high quality correctional services to confined juvenile offenders, through a well-managed varied network of secure and community-based programs.

Youth Services Administration should oversee the performance of community contract facilities through routine contact, correspondence review, announced and unannounced on-site monitoring, and technical assistance visits.

In order to serve youth in the District of Columbia YSA works with:

- DC Superior Court
- Metropolitan Police Department
- Office of Corporation Counsel

- Communities and community-based service providers
2. **Contractor:** The provider of services as described in this Subcommittee report. Typically this is a private organization that contract with the District of Columbia.
  3. **Facility:** The correctional facility in which YSA/contractor houses offenders, also referred to as “group home”, “community-based”, “non-secure”, “foster home” or community residential.
  4. **Juvenile Offender:** The terms "juvenile," "juvenile offender," "juvenile resident," "student," and "resident" are used interchangeably and are considered synonymous.

Federal Law and American Correctional Association (ACA) requires, that no juvenile committed, whether pursuant to an adjudication of delinquency or conviction for an offense, be placed or retained in an adult jail or correctional institution in which he/she has regular contact with incarcerated adults. Every juvenile who has been committed should be provided with adequate food, heat, light, sanitary facilities, bedding, clothing, recreation, counseling, education, training, and medical care including necessary psychiatric, psychological, or other care and treatment. Whenever possible, YSA should place a juvenile to a foster home or community-based facility located in or near his home.

5. **Types of Offenders:**
  - a. **Transfers from Secure Juvenile Facilities:** These juveniles are committed to the custody of YSA. They have served a portion of their sentence in a secure juvenile facility and may be transitioned into the community through community-based facilities.
  - b. **Direct Court Commitments:** These offenders are sentenced by court to serve their term of confinement in the facility, as defined.
  - c. **Probationers:** Offenders that are required to reside in and adhere to program requirements of the facility as a condition of probation for the time specified by the Superior Court for the District of Columbia.

#### D. **SCOPE OF WORK**

YSA or the contractor should provide the necessary facilities, equipment, personnel and staff training that satisfies the delivery of services recommended in this report. YSA should ensure that programs are conducive to the rehabilitative needs of male and/or female

juveniles and do not compromise requirements to maintain sight and sound separation from adult offender populations.

YSA should develop written operational policies and procedures that adhere to accepted juvenile specific correctional practices as determined by national standards.

If not already accredited by the American Correctional Association (ACA), YSA should obtain ACA accreditation.

## **ADMINISTRATION**

It should be the responsibility of YSA to maintain current documentation to substantiate that the requirements in this report are met.

- A. The District of Columbia should provide authorization for the establishment of the facility. Such statute provides the legal framework within which the facility's administrative structure, philosophy and policies are developed, as well as the basis for assessing performance and identifying needed changes in organization. This should include a written mission statement and organizational chart.
- B. YSA/contractor should have a current Operations Manual containing written policies and procedures which should be accessible to all staff. It should be the responsibility of YSA/contractor to update the Operations Manual and ensure that staff review this manual on an annual basis. In addition to written policies and procedures, the Operations Manual should explain the systems used by the Chief Executive Officer (or other designated decision-maker) to ensure compliance. This includes, but is not limited to the following:
  - The system(s) used to review and update all policies, procedures and programs annually.
  - The system(s) used to monitor, inspect, review and implement corrective actions as deemed necessary in the course of operating a facility for juvenile offenders.
  - The system(s) used to disseminate updated information to appropriate staff and administrators regarding policy changes, as deemed necessary.
  - The system(s) used to disseminate pertinent information to juvenile offenders, parents, legal guardians, or other custodians. Communication should be in the language of the approved parties, including the juvenile.

- The system(s) used to encourage positive contact with the general public, while still preserving the offender's privacy and the facility's safe environment.
  - The system(s) used to conduct internal annual operational audits, using this Programmatic Approaches Subcommittee report as the guideline, with written findings and corrective action plans.
- C. YSA should conform to all applicable zoning ordinances, and building, sanitation, health, and fire codes. Documentation should be made available to confirm adherence.
- D. YSA should identify staff members to attend and participate in meetings, training sessions, monitoring visits and conferences.
- E. YSA should be the final authority in determining appropriate levels of staffing and services at each contract facility site.

## FISCAL MANAGEMENT

It should be the responsibility of YSA/contractor to ensure that written policies and procedures are developed, implemented and monitored in the area of FACILITY FISCAL MANAGEMENT. The YSA/contractor should reference **Part 1, Section B of the American Correctional Association Standards for Juvenile Community Residential Facilities.**

- A. It should also be the responsibility of YSA/contractor to maintain complete and accurate documentation of all financial transactions. Written policies and procedures should also include audits of all facility financial operations to include the following requirements:
1. A system(s) for maintaining an accurate account of facility expenditures, Commissary Operations procurements, Juvenile Trust Fund, or other special funds.
  2. A system to ensure YSA/contractor or designated "Certifying Officer" certifies the accuracy of all financial invoices before submitting them to the DC. A statement certifying that services have been rendered should be included along with the invoice. The statement should have the contractor's original signature or that of the "Certifying Officer." The statement should include total offender days for the month, offender day rate, and a total amount of invoice.
- B. **Staff Supervision for Hospitalized Juvenile Offenders.** YSA should be financially responsible for providing all staff supervision as necessary for offenders.
- C. Emergency medical and psychiatric care should be provided immediately to preserve the life and health of the juvenile.

- D. YSA/contractor should be responsible for providing each juvenile with a complete physical examination within 14 days of arrival at the facility.

## PERSONNEL

All juvenile offenders in non-secure placements should benefit from staff supervision and guidance. It should be the responsibility of YSA/contractor to supervise and account for all sentenced juveniles, 24 hours a day, seven days a week, 12 months a year. YSA should reference to **Part 1, Section C, American Correctional Association Standards for Juvenile Community Residential Facilities.**

- A. YSA/contractor should have written personnel policies and a management system that are consistent with the juvenile justice system's philosophy of rehabilitation.
- B. The services required in this Programmatic Approaches Subcommittee report should be performed by paid staff, there should be a requirement for YSA to use unpaid individuals, such as mentors and/or volunteers. Where appropriate, mentors should be utilized to work one-on-one with juveniles in achieving program goals. Similar functions may be provided to groups of juveniles by individual volunteers and volunteer groups. However, mentors and volunteers should not be used in lieu of direct supervision staff.
- Juvenile mentors, individual volunteers and volunteer groups play a very important role in the rehabilitative process for juvenile offenders. Therefore, written policies and procedures are to address recruitment, screening, background checks, and provisions for providing orientation and training to mentors and volunteers prior to their contact with juvenile offenders. Written policies and procedures should also require that mentors, volunteers, or volunteer groups provide services under the direction and guidance of paid facility staff members, not have contact with juveniles outside the non-secure facility except in their official capacity, and have no access to confidential juvenile files.
  - The utilization of diverse cultural, spiritual, and educational groups, choirs, motivational speakers and positive role models should be encouraged as deemed appropriate by YSA.
  - YSA/contractor should have a written "Volunteer Manual" and a "Mentor Manual" which should be accessible to each mentor, volunteer, and volunteer group.
  - YSA/contractor should document and maintain records of activities involving mentors, volunteers and volunteer groups. Information pertaining to activities and volunteer hours should be documented.

C. YSA/contractor should make reference to **Part 1, Section C of the American Correctional Association Standards for Juvenile Community Residential Facilities**, as the basis for providing written policies and procedures in the area of personnel. This includes, but should not be limited to the following:

- Employee job descriptions, including title, experience and education requirements
- Employee Equal Opportunity
- Employee records and evaluations
- Employee standards of conduct
- Employee conditions for probationary and permanent employment
- Employee recruitment and retention plan
- Employee grievance process
- Employee orientation and training
- Employee screening and background

D. It should be the responsibility of YSA to ensure that the facility's Chief Executive/Director possesses, at the very minimum, a baccalaureate degree in social or behavioral science with at least five years experience in the juvenile justice system, three years of which should be in a management position. The contractor should also responsible for identifying all key personnel with the following conditions:

- Key personnel should be full-time employees
- Key personnel should include the Chief Executive Officer/Facility Director, Assistant Director, the School Principal, the Food Service Manager, and the Director of Psychology.
- Key personnel should include at least one security supervisor
- Key personnel should include at least one casework supervisor

E. **STANDARDS OF CONDUCT.** YSA/contractor should develop written policy, procedures and practice, subsequently referred to as the Standards of Conduct, on employee conduct, ethics and responsibility. YSA contractor should notify employees of the Standards of Conduct and document this notification in their personnel files.

YSA/contractor should require all employees to sign an acknowledgment that they have received and understand the Standards of Conduct and should cooperate fully by providing all pertinent information which they may have with any investigative authority. Full cooperation means and requires truthfully responding to all questions and providing a signed affidavit, if requested.

YSA should also document this acknowledgment in each employee's personnel file.

At a minimum, and consistent with other federal correctional agencies. YSA should include in the "Standards of Conduct" the following:



- Employees must conduct themselves professionally and in a manner that creates and maintains respect for YSA, contractor, and the District of Columbia.
- Employees must avoid any action that might result in, or create the appearance of, adversely affecting the confidence of the public in the integrity of the District of Columbia.
- Employees must uphold the ethical rules governing their professions, including complying with applicable licensing authority rules.
- Employees must not use or possess illegal drugs or narcotics. They must not abuse any drugs or narcotics. Use of alcoholic beverages or being under the influence of alcohol while on duty, present in the facility, or immediately before reporting for duty is prohibited. An employee while on duty or in the facility is considered to be under the influence of alcohol if their blood alcohol content level is 0.02 percent or greater.
- Employees must not allow themselves to show partiality toward, or become emotionally, physically, sexually, or financially involved with juvenile offenders, former offenders, or the families of offenders or former offenders. Chaplains, psychologists, and psychiatrists may continue a previously established therapeutic relationship with a former offender in accordance with their respective codes of professional conduct and responsibility.
- Employees must not engage in, or allow another person to engage in, sexual behavior with a juvenile offender. Regardless of whether force is used or threatened, there can be no consensual sex between employees and offenders.
- Employees must not offer or give to an offender or a former offender or any member of his or her family, or to any person known to be associated with an offender or former offender, any article, favor, or service, which is not authorized in the performance of the employee's duties. Employees must not accept any gift, personal service, or favor from an offender or former offender or from anyone known to be associated with or related to an offender or former offender. This prohibition includes becoming involved with families or associates of any offender.
- Employees must not show favoritism or give preferential treatment to one juvenile offender, or a group of offenders, over another.
- Employees must not use profane, obscene, or otherwise abusive language when communicating with juvenile offenders, fellow employees, or others. Employees must conduct themselves in a manner that is not demeaning to offenders or fellow employees.

- Employees must remain fully alert and attentive during duty hours.
  - Employees must not have any outside contact with an offender, ex-offender, offender's family or close associates, for a period of one year from the last day of the offender's sentence or supervision, whichever is later, except those activities that are an approved, integral part of the facility program and a part of the employee's job description.
  - Employees must not engage in any conduct that is criminal in nature or which would bring discredit upon YSA, contractor, the District of Columbia. Employees' conduct must be above reproach. It is expected that employees must obey, not only the letter of the law, but also the spirit of the law while engaged in personal or official activities. Should an employee be charged with, arrested for, or convicted of any felony or misdemeanor, that employee must immediately inform and provide a written report to the facility director.
  - Employees must not use brutality, physical violence, or intimidation toward juvenile offenders.
  - Employees must not possess lethal weapons or weapons which may inflict personal injury in the facility or while on duty.
- F. Any violation or attempted violation of the restrictions referred to above should be reported to YSA by telephone immediately and in writing within 48 hours. Such reporting is to include proposed action to be taken by the contractor. YSA is to determine if the employee may continue to work with juveniles. Any failure to report a violation or take appropriate disciplinary action against contractor employees may subject the contractor to appropriate action, up to and including termination of the contract.
- G. YSA and contractor should vouch potential employees through reference and employment checks. YSA/contractor should notify proposed employees that a National Crime Information Center/National Law Enforcement Telecommunication System (NCIC/NLETS), fingerprint criminal records and other appropriate background checks should be processed by YSA to verify employment applications. Prospective employees may not begin working with juveniles prior to the initial and annual NCIC/NLETS clearance. The granting of full approval of an employee should not occur until YSA receives a response from the fingerprint or other background checks. YSA or contractor should not employ any person under supervision or jurisdiction of any parole, probation or correctional authority.
- H. It should be the responsibility of YSA/contractor to provide a safe environment for all employees and juveniles in custody. YSA/contractor should comply with all provisions of **Title VII of the Civil Rights Act of 1964, as amended.**

## STAFFING PATTERNS

Recognizing that there may be differences in staffing patterns in secure and non-secure juvenile facilities, YSA/contractor should provide written policies, procedures and plan that clearly define the system(s) to ensure that all DC juvenile offenders in non-secure facilities receive direct staff supervision during escorted trips to the community and their location should be accounted for during unescorted trips, 24 hours a day, seven days a week, twelve months a year. The staffing relief factor should be included in this plan. At the very minimum, one direct supervision staff per eight juveniles should be required during wake hours and one direct supervision staff per 16 juveniles during sleeping hours, while juveniles are in the facility. The YSA/contractor's Operations Manual should include:

- Direct supervision staff to juvenile offender ratio for each shift
  - Key personnel responsible for maintaining adequate staffing for each shift
  - Case manager to juvenile offender ratio
  - Organizational chart outlining all department heads and their areas of responsibility
- A. YSA/contractor should ensure that administrative, clerical, maintenance or other paid staff, whose primary function is not to provide direct supervision to juvenile offenders, not be included in the overall staffing pattern.
- B. There should be provisions for ensuring that the staffing pattern concentrates staff when most juveniles are in the facility.

## TRAINING

YSA/contractor should provide written policies and procedures that clearly describe the facility's staff development and training program for all paid employees including administrators, administrative staff, support staff and direct supervision staff. Reference should be made to **Part 1, Section D, American Correctional Association Standards for Juvenile Community Residential Facilities** as a guide.

- A. YSA/contractor's staff development and training program should be designed to satisfactorily meet YSA mission and the DC's goal of ensuring that each DC juvenile offender in custody receives quality programming per week from qualified and properly trained staff, in an environment conducive to rehabilitation. YSA/contractor's staff development and training program should be culturally- and gender-sensitive, and should focus on issues unique to the juvenile offender population.
- B. YSA/contractor should maintain a training manual at the facility that documents the credentials and qualifications of all trainers. At the very minimum, the contractor should to

ensure that each new employee receive 40 documented hours of pre service training. A copy of the curriculum should be kept on file and subject to review by YSA director.

- C. YSA/contractor should also submit a plan for providing annual training to all paid staff. The training should enhance the employee's ability to perform their responsibilities. At the very minimum, YSA/contractor should provide clerical and support staff with 16 hours of annual training each year. Direct supervision staff should receive, at the very minimum 24 hours of annual training. YSA should be responsible for developing the training agenda according to need. However, the DC requires that the following training topics be included during annual training:
- CPR/First Aid
  - Emergency Fire Evacuation
  - Suicide Prevention and Intervention
  - De-escalation Techniques and Crisis Intervention
  - Sexual Abuse and Prevention
  - Mental Health Awareness
- D. YSA/contractor should provide written policies and procedures and a plan outlining the potential use of **Physical, Mechanical, Mental Health Interventions, with special emphasis on Suicide Interventions**. These policies and procedures should be consistent with good judgement and sound correctional practices. These written policies, procedures and practices should limit the use of physical force to instances of self-protection, protection of the juvenile or others, prevention of property damage and escape. Under no circumstances should physical force justifiable as punishment. YSA/contractor should to reference **Part 3, Section A of the American Correctional Association Standards for Juvenile Community Residential Facilities**.
- E. It should be the responsibility of YSA/contractor to ensure that direct supervision staff are properly trained in crisis assessment skills, crisis intervention, and communication skills. Such training, including the use of **Physical, Mechanical and Suicide Interventions** should be to be provided prior to an employee's contact with a juvenile offender. YSA/ contractor's policies and procedures are to identify the types of interventions allowed, person(s) authorized to use such interventions and circumstances that may prompt such use.
- F. YSA/contractor should have a system in place for documenting and informing the Office of the Deputy Mayor for Children and Family Services of all incidents involving **Physical, Mechanical and Suicide Interventions**.
- G. YSA/contractor should submit a comprehensive Juvenile Suicide Prevention and Intervention Policy. The policy and procedures should have been reviewed and approved by a licensed mental health professional.

- H. YSA/contractor should have on file a copy of **The Civil Rights of Institutionalized Person's Act (CRIPA)**. It should be the responsibility of YSA/contractor to make these materials available to all key personnel and other staff, as deemed necessary.

## **FACILITY**

The requirements for juvenile housing pursuant this report are consistent with **Part 2, of the American Correctional Association, Standards for Juvenile Community Residential Facilities.** Therefore, YSA/contractor should reference this section and submit a plan for meeting these requirements. In addition to meeting applicable Federal and local building codes, the plan should address the following requirements:

- Square footage for sleeping areas, and day rooms
  - Heating and Cooling
  - Lighting
  - Laundry
  - Furnishings
  - Wash Basins
  - Showers
  - Toilets
  - Housing for the disabled
- A. In cases where the facility houses female and male juvenile offenders, YSA/contractor should submit a plan addressing coeducational activities, and separate sleeping areas.
- B. The facility should dedicate indoor and outdoor space for recreation, and structured activities to be utilized by all federal juvenile offenders, male and female.

## **LIFE SAFETY**

YSA/contractor should ensure that requirements in the area of life safety are met at all times. In conjunction with the **Occupational Safety and Health Act of 1970, all codes and regulations associated with 29 CFR 1910 and 1926, and Part 3, Section B of American Correctional Association Standards for Juvenile Community Residential Facilities,** YSA/contractor should submit a plan that ensures that the facility complies with all DC, and national health, safety, environmental, and building codes. In the event DC, and national codes conflict, the most stringent should apply.

- YSA/contractor should ensure that the facility is inspected in accordance with DC fire building codes by a representative of the local authority having jurisdiction.

- YSA/contractor should establish a comprehensive Environmental/Pollution Prevention Program designed to use source reduction techniques and sound recycling practices in accordance with local ordinances. If there are no local ordinances in place, the contractor should develop an Environmental Awareness Program available to all juveniles.

## **ELECTRICAL SAFETY**

**The National Electric Code and General Industry Standards (OSHA 1910.304)** should be the measure used to assess compliance with electrical standards. It is important for the contractor to acknowledge the following:

- A. Ground Fault Circuit Interrupters (GFCIs) are to be required on all 110 Volt, single phase outlets in the laundry facility if the washing machines are exposed to the weather or wet areas. In addition, if laundry areas have a water source (utilities sink) within six feet of receptacles, these receptacles are required to be protected.
  - GFCI wiring must be 14 gauge with ground. Standard wiring is usually 12 gauge with ground.
- B. Electrical panel box covers shall contain an accurate, up-to-date directory. The means of disconnecting electrical equipment shall be marked as to its use, unless readily apparent.
- C. Extension cords shall not be used in lieu of hard or permanent wiring.
- D. Wiring/receptacles shall be grounded - no obsolete 2-wire outlets may be used.
- E. Floor space heaters and hot water "stringers" are considered unsafe from the standpoint of fire safety and must not be permitted.
- F. Guard grids on oscillating or floor fans cannot exceed .625 centimeter (1/4") for safety reasons.
- G. The following electrical safety standards must apply:
  - 1. Damaged or frayed wiring cannot be taped or spliced.
  - 2. Empty light fixture or fuse sockets, wiring, etc., may not be exposed or unprotected. Missing knock-outs, circuit breakers, or other openings in electrical equipment shall be effectively enclosed to prevent exposure to live or energized ports.
  - 3. The use of multi-outlet electrical adapter plugs is prohibited.

4. Damaged plate covers, switches, outlets, etc., shall be replaced.
5. The use of electrical tape to repair cut or damaged cords or cables is prohibited. Cords and cables must be effectively repaired by the proper means (i.e., use of heat shrink tubing, reinstallation of cords or cables to equipment, etc.).

### **TOXIC, CAUSTIC, AND FLAMMABLE MATERIALS**

YSA/contractor should establish a written program for the storage, issuance, handling, and accountability of flammable liquids, hazardous chemicals, toxic, and caustic materials used within the facility. Reference should be made to **Part 3, Section B, American Correctional Association Standards for Juvenile Community Residential Facilities** and the **Environmental Protection Agency (EPA) and General Industry Standards (OSHA 29 CFR 1910)** for guidance and direction.

All personnel shall be trained in the proper handling and use of all toxic, caustic, and flammable materials within two weeks of their initial employment, or whenever a new hazard is introduced into their work area. Toxic, caustic, and flammable materials are defined as those having "signal words" such as POISON, DANGER, and/or WARNING on the label. Such materials require special handling, control, and accountability. All training is to be documented for compliance. YSA/contractor should acknowledge:

- A. Flammable materials such as gasoline, kerosene, and paint thinner are to be stored outside of the main structure or in approved Department of Transportation safety containers located within the facility. Flammable materials are classified as a Class I material having a flash point of  
-17.8 - 37.8 degrees Celsius (0-100 degrees Fahrenheit).
- B. Toxic, caustic, and flammable materials may not be stored in sleeping rooms, furnace areas, kitchens, or in close proximity to stored foodstuff.
- C. Materials are to be properly labeled, stored in the original container, and maintained in a secure area. Concentrated materials may be used by the general population once the product has been diluted. The container is to be labeled and marked "Diluted."
- D. Inventory cards or an approved method of accountability shall be maintained on all toxic, caustic, and flammable materials.
- E. Propane gas and other pressurized cylinders, both full and empty, are to be strapped, chained or stored in the upright position.

- F. Aerosol containers are considered pressurized cylinders. They need to be controlled and accountability maintained.
- G. The "Right-to-Know-Law" requires that Material Safety Data Sheets (MSDS) be maintained on all toxic, caustic, and flammable materials. These data sheets should list the characteristics and chemistry of the product, flash point, and first aid antidote in case of ingestion or exposure.
- H. Personal protective clothing is to be furnished and utilized in accordance with the MSDS.

### **PEST CONTROL**

The EPA has set standards for pesticide handling and use. These include such areas as record keeping, storage and disposal procedures, filling and mixing methods, etc. All of the standards are designed to help make pesticide use safer for people and the environment.

DC laws also govern pesticide use. Both federal and DC laws and regulations apply to any person using pesticides within a DC. In some cases, it may be feasible for YSA/contractor to contract these services through a licensed exterminator. However, the best method of pest control is the establishment and maintenance of good housekeeping practices.

- A. YSA/contractor should provide for vermin and pest control and disposal.
- B. Proper control and accountability of pesticides and rodenticide is to be maintained.
  - Pesticides are to be stored in a cool, dry, and well- ventilated room which can be secured and locked. All pesticides are to be stored in their original containers bearing the proper label of the ingredients.
  - All empty pesticide containers are to be triple rinsed prior to the disposal of the container. Disposable aerosol containers are not to have any "charge" remaining in them at the time of their disposal.
- C. Screens on all open windows within food preparation and dining areas are to be in place and in good condition.
- D. Trash and garbage removal is required. Containers and collecting areas are to be free of accumulated trash and debris.



## SANITATION AND HYGIENE

Requirements for Sanitation and Hygiene are consistent with **Part 4, Section B, American Correctional Association Standards for Juvenile Community Residential Facilities.** YSA/contractor should reference this section and submit policies and procedures that address and document, at the very minimum, the following:

1. Weekly facility sanitation inspections.
2. Yearly inspection by DC, and/or local sanitation and health officials.
3. A housekeeping plan for all areas of the facility outlining responsibilities for staff and juveniles.
4. Vermin and pest control plan.
5. Hair care service should be culturally-sensitive, while also considering the security requirements of the facility. Such service should be provided in a separate area for hygiene reasons.
6. Plan for the lawful disposal of liquid and solid waste.
7. Plan that should provide for the issuance and accountability of suitable, clean bedding and towels for each DC juvenile. This includes protective clothing for juveniles participating in work assignments.

YSA/contractor should provide documentation that the facility's potable water source and supply, whether owned and operated by the public water department or the facility, is certified by an independent, outside source to be in compliance with jurisdictional laws and regulations.

## JUVENILE SAFETY AND SUPERVISION

YSA/contractor's safety policies and procedures to be written and included as part of the facility's Operations Manual. Reference should be made to **Part 2, Section G and Part 3, Section A, American Correctional Association Standards for Juvenile Community Residential Facilities** as a guide.

- A. YSA/contractor should ensure that juveniles remain safely within the facility and to prevent access by the general public without proper authorization. Facility safety may be enhanced by electronic surveillance, but should not be considered a substitute for direct supervision of juveniles. The District of Columbia reserves the right to determine what constitutes a safe environment.

- B. YSA/contractor should ensure that staff are available to all juveniles, 24 hours a day, seven days a week, twelve months a year. Staff should be responsible for monitoring all security aspects of the facility, including communication, key and lock control and the movement of juveniles into and out of the facility.
- C. YSA/contractor should provide written policies and procedures for regulating and accounting for all juvenile offenders while in the community or in the facility. YSA/contractor should conduct and document on-site visits to verify a juvenile's constructive activities in the community (e.g. school, work, community service).
- D. YSA/contractor should have written policies and procedures to ensure that the facility has a system in place for videotaping all physical restraints of juveniles. All incidents of physical and mechanical restraint should be documented on an incident report. In addition to reviewing the incident report, the Office of the Deputy Mayor for Children and Family Services may also request the videotape for review. Videotapes of physical restraints should be kept on file for one year.
- E. Regardless of the terminology used to describe behavioral interventions (e.g., "use of force," "physical and mechanical restraint," "physical intervention," "mechanical intervention," "four-point restraint," "suicide intervention"), YSA/contractor should submit written policies and procedures involving any such incident and should clearly outline the criteria for using such interventions. **Under no circumstances is an intervention justifiable as punishment.** The written policies and procedures should include guidelines for ensuring that a juvenile is examined by a physician, physician assistant, nurse, or other designated medical personnel following such incidents. YSA/contractor's written policies and procedures should be reviewed and approved by a doctoral-level psychologist and physician to ensure that proper protocols are in place. In addition, the DC reserves the right to refer any policy to DC medical and mental health professionals for review at any time.
- F. YSA/contractor should review policies and procedures on a regular basis.
- G. YSA/contractor should be prohibited from using firearms, CS Gas, chemical agents, and peer-assisted restraints.
- H. YSA/contractor should provide for regular searches of the facility and juvenile offenders to control contraband. A system should be established to ensure that contraband is properly disposed of, or properly marked and stored as evidence. Documentation of these searches should be maintained for one year.
- I. YSA/contractor should provide written policies and procedures that provide for manual or instrument inspection of body cavities, or pat searches. Body cavity searches should only be conducted upon authorization of the CEO, and are to be conducted in private by trained health care personnel only. The contractor should notify YSA of any cavity searches within

24 hours. YSA/contractor should ensure that policies and procedures are reviewed for appropriateness by a doctoral-level psychologist and physician prior to its implementation on DC juvenile offenders, male and female.

- J. YSA/contractor should have a documented quality control plan in place which ensures that the facility's security systems are operable at all times. Facility inspections should be documented and available for review.
- K. YSA/contractor should provide written policies and procedures outlining a plan of action in the event of an escape, major disturbance, threats, adverse weather, or any incidents requiring mass evacuation. These plans are to be made available to all staff and reviewed and updated at least annually. Documentation should be maintained for DC review.

### **SUPERVISION OF JUVENILE OFFENDERS**

YSA/contractor's policies and procedures should specify a strategy for the **Direct Supervision** of juveniles that is different from supervision offered to adults. The contractor should recognize that the main difference is found in the lower ratio of staff to juveniles.

- A. The responsibilities of Direct Supervision staff involve more observation, interaction and counseling with juveniles. Therefore, no offender or group of juvenile offenders is to be given control or authority over other juvenile offenders. As stated previously, peer-assisted restraints are prohibited.
- B. YSA/contractor should provide written policy, procedure, and practice to provide for the detection and reporting of escapees.
- C. YSA/contractor should be responsible in ensuring that all staff are kept informed of written policies and procedures pertaining to the safety of the public, juveniles, staff, mentors and volunteers.

### **JUVENILE OFFENDER DISCIPLINE**

YSA/contractor should refer to **Part 3, Section C and D, American Correctional Association Standards for Juvenile Community Residential Facilities.** YSA/contractor may also make reference to the **Juvenile Justice Delinquency and Prevention Act (1974)**, the **Civil Rights of Institutionalized Person's Act (CRIPA)** and YSA Prohibited Acts for additional guidance. YSA/contractor's written policies and procedures regarding juvenile discipline should clearly define the differences between an offender's privileges and basic constitutional rights guaranteed by the United States Constitution. YSA/contractor should balance public protection, victim awareness and juvenile accountability. Written policies and procedures should address Rules and Discipline,

Criminal Violations, Disciplinary Reports, Disciplinary Hearings, Hearing Decisions and Appeals Process,

- A. Written policies and procedures should ensure that corporal punishment as a means for juvenile discipline should be strictly prohibited. A graduated sanctions disciplinary system requires that the discipline be proportional to the violation committed. For minor rule violations, such sanctions may range from a verbal and/or written reprimand, to a loss of privileges, to room restriction. Regardless of the violation committed by a juvenile offender, “repetitive make-work,” “neglect”, “segregation without cause”, “food deprivation” and improper physical and mechanical restraint of juvenile is prohibited. The use of any chemical agent on juveniles should be prohibited. YSA’s/contractor’s Juvenile Discipline Policy should be included in the facility’s Operations Manual.
- B. YSA/contractor should provide a copy of the contractor's Rules of Conduct to each new juvenile offender upon arrival at the facility. Documentation should be provided. A translated copy of the Rules of Conduct should be provided to non-English speaking juveniles.
- C. YSA/contractor should submit written policies and procedures ensuring the following are included:
- Guidelines for rewarding positive behavior
  - Guidelines for addressing and resolving minor and major juvenile misbehavior
  - Guidelines for informing the juvenile of sanctions and providing an opportunity to respond to allegations
  - Guidelines for the use of room restriction
  - Guidelines for the use of facility restriction
  - Guidelines for allowing all juvenile to write statements involving special incidents
- D. YSA/contractor should provide written policies and procedures regarding disciplinary reports and hearings. If YSA/contractor utilizes a graduated sanctions approach, a distinction should be made between major and minor rule violations, privileges and constitutional rights. It should be the responsibility of YSA/contractor to ensure that “due process” requirements are an integral part of the sanctions process. In cases where a juvenile is placed on room restriction, as a result of a minor rule violation or as a “cooling off period,” the time period should not exceed eight hours without review by the facility administrator. Visual and verbal contact by staff should be made with the juvenile at least every 30 minutes. All contacts should be recorded and retained by staff. In major violation instances, the juvenile should receive a written copy of alleged rule violation within 24 hours of the incident. In such cases, a hearing may be held within 24 hours of the juvenile’s written consent. In all other instances hearings should be held as soon as possible, but no later than seven days, excluding weekends and holidays, after the alleged violation. Juveniles should be notified of the time and place of the hearing at least 24 hours in advance of the hearing. When a juvenile has

been charged with a serious and/or chronic act of aggression toward self or others, temporary placement in a secure detention center may be considered to ensure the safety of the juvenile, other juveniles, and to maintain the security of the facility. Staff observation in all instances should be required.

- E. YSA/contractor should provide written policies, procedures and practices that ensure a hearing is conducted by an impartial person or panel of persons who are not directly involved in the incident leading to the restriction, before a juvenile is placed on facility restriction for more than 48 hours. YSA/contractor should ensure that a record of the entire hearing process should be made and maintained for at least six months. The following guidelines should be included in the policy:
- A disciplinary hearing may be held within 24 hours of the alleged incident with the written consent of the juvenile.
  - The juvenile should have the opportunity to be present at his/her hearing, unless he/she waives that right in writing or his/her behavior does not allow for his/her presence. In all cases, the reason for the absence from the hearing should be documented.
  - The juvenile should have the opportunity to make a statement and present documentary evidence at the hearing. He/she may request witnesses on his/her behalf. Denied requests should be stated in writing.
  - The juvenile should have the opportunity to request the services of any staff member to represent him/her at the disciplinary hearing and to question relevant witnesses.
- F. YSA/contractor should submit written policies and procedures that document the results of all disciplinary hearings involving juvenile offenders. The recorded proceedings, along with the supporting documentation, should include the decision, the disposition, and summary of the findings.
- G. YSA/contractor should submit written policies and procedures that grant juveniles the right to appeal decisions of the disciplinary committee to the Facility Administrator or designee. Juveniles have up to 15 days after the receipt of the hearing decision to submit an appeal. The appeal should be decided within 30 days of its receipt, and the juvenile is promptly notified of the results.
- H. Regardless of the terminology used to describe the temporary separation of juveniles from a non-secure correctional setting to secure detention (e.g., “detention center”, “crisis prevention center”), as a result of behavioral interventions, YSA/contractor should submit policies and procedures that outline the criteria for their temporary secure detention and plan for reintegration back into the non-secure setting. YSA/contractor may exercise this option

only in cases where juveniles present serious, chronic, and/or high-risk assaultive behavior that present a high level of danger to themselves or others. **Detention is not to be used for punishment.** Such temporary detention placements should not occupy the same living, educational, visitation, or other structured activity space that should disrupt the activities of the general population and usually consist of local juvenile detention centers. Policies related to the use of secure detention should include provisions for the following:

- Immediate notification to YSA all instances involving a referral of a offender to local law enforcement for temporary placement in a local secure juvenile detention center. Such referrals should be made by the facility administrator or shift supervisor.
- An Interdisciplinary Treatment Team which develops a Special Behavior Management Program Plan that encourages self-discipline through a behavior modification system of rewarding positive behavior.
- The time a juvenile spends in a local secure detention center should be proportionate to the offense committed and the juvenile's progress in achieving goals and objectives.
- Juveniles in secure detention should be checked by staff at least every 15 minutes and should be visited at least once each day by administrative, clinical, social work, and medical personnel, and spiritual leaders.
- A log should be maintained to document who authorized the detention placement, persons visiting the juvenile, the person authorizing release from secure housing, and time of release.
- Juveniles in secure detention should have a room, food, clothing, exercise, education, medical, psychological and other services comparable to juveniles in general population. Where such services are denied, the facility should provide written justification to YSA.
- If placement in a local secure detention center goes beyond 24 hours, it should be the responsibility of the facility administrator to review this continued confinement every 24 hours. Placement in secure detention normally should not exceed five consecutive days. If confinement is required beyond five consecutive days, the facility administrator should provide written justification for continued confinement, inform YSA, and ensure the juvenile is seen by a licensed psychologist or psychiatrist, and physician to ensure that the continued behavior is not a result of mental and/or medical health deterioration.

## ADMINISTRATIVE REMEDY PROCEDURES

YSA/contractor should submit written policies and procedures that provide for “grievance resolution” or “administrative remedy” in response to a juvenile’s concerns. YSA/contractor should refer to **Part 3, Section D of American Correctional Association Standards for Juvenile Community Residential Facilities**, as a guide for ensuring that juveniles are aware of their right to formally present their issues of concern to the facility director and the appropriate grievance coordinator for formal or informal resolution within the time frames outlined in ACA standards.

## REFERRAL AND INTAKE PROCESSING

YSA/contractor should have written policies and procedures governing referral and intake of juveniles. For guidance on the proper intake and orientation process, YSA/contractor should reference: **Part 5, Section A, American Correctional Association Standards for Juvenile Community Residential Facilities**. YSA/contractor should adhere to federal laws in maintaining the confidentiality of any information gathered, to include:

- Appropriate notifications
- Transfers
- Execution of the Judgment and Commitment (J & C) Order
- Juvenile case files
- Juvenile fingerprinting and photographing
- Initial Intake Form

Fingerprints and photographs of a juvenile should be taken and forwarded in accordance with YSA practices.

## SERVICES

YSA/contractor should submit written policies and procedures regarding the delivery of services to DC juvenile offenders. YSA/contractor should reference **Part 4, Sections A,B and C, American Correctional Association Standards for Juvenile Community Residential Facilities**.

### A. Food

1. YSA/contractor should ensure that juveniles are provided three nutritionally balanced meals per day, seven days per week, 12 months per year, at no cost to the juvenile. Food preparation should be the responsibility of YSA/contractor, not the juvenile.
2. YSA/contractor should ensure appropriate food service management through its own food service program or through a subcontract with a food service provider. If the

contractor sub-contracts meal service, a copy of their contractual agreement should be provided to YSA with the following information:

- Evidence the establishment is a full-service organization, capable of providing breakfast, lunch, and dinner meals.
  - Evidence the establishment has a valid local license, certificate or permit, as applicable, to operate, prepare and/or serve food.
  - Evidence the establishment meets all local sanitation and health codes.
3. YSA/contractor should submit written policies and procedures that ensure that a registered dietician or nutritionist reviews on an annual basis and approves the nutritional value of the menu. All meals should meet the **Recommended Dietary Allowances** and the **Dietary Guidelines** as set by the current version of the **American Dietetic Association**.
- Provisions should be made to accommodate juveniles who are not available at regularly scheduled meal times.
  - Arrangements for special diets required by religious preference, a physician or dentist should be provided on an as-needed basis.

If YSA/contractor prepares its own food for service, the facility should employ a full-time food service manager experienced in food service management. This employee should have the resources, authority, and responsibility to provide the facility complete food service while ensuring compliance with all federal, and local licensing, attire, fire safety, sanitation, inspections and food handling requirements.

## **B. Medical, Mental and Dental**

1. YSA/contractor should provide access to the full range of required health, medical, dental, mental health, pharmaceutical, and record keeping services for all sentenced juvenile offenders. Reference should be made to the current edition of **Part 4, Section C, American Correctional Association Standards for Juvenile Community Residential Facilities**.
- Provisions that all juveniles receive an initial medical and mental health screening within 24 hours of arrival at the facility.
  - Provisions that all juveniles receive a complete physical and mental health examination within 14 days of arrival at the facility.
  - Provisions that all direct care staff at the facility are trained in emergency first aid procedures, including cardiopulmonary resuscitation (CPR).
  - Provisions with a licensed general hospital, private physician or clinic that ensures emergency medical and psychiatric services to juveniles, 24 hours a day seven days a week, 12 months a year.



- Provisions for sick call to be conducted seven days a week, 12 months a year.
  - Provisions for 24 hour staff supervision for juvenile offenders if they are confined to hospitals for treatment.
  - Provisions for Human Immunodeficiency Virus (HIV) education program for staff and juveniles.
2. YSA/contractor should provide mental health services for juvenile offenders in need of such services. Such services should include, but should not be limited to psychologists, psychiatrists, and other mental health professionals who meet educational and licensed/certification criteria specified by their respective professional discipline.
3. Suicide Prevention and Intervention: In consultation with YSA's mental health professional, an approved comprehensive suicide prevention and intervention plan should be reviewed with all requests for proposals initiated by YSA, involving mental health services. This suicide prevention plan should reference policies and procedures for providing staff with guidelines for the management of potentially suicidal juvenile offenders 24 hours a day, seven days a week, 12 months a year. At the very minimum this plan should include:
- Provisions for pre-service and annual training of all staff in identifying potentially suicidal juvenile offenders and implementing appropriate interventions.
  - Procedures that should ensure that properly trained staff provides direct and continuous observation and supervision of all juveniles on "suicide alert," "one on one," or "suicide watch". **Under no circumstances should a juvenile assume this responsibility.**
  - The comprehensive suicide prevention and intervention plan should be included in the facility's Operations Manuals. It should be the responsibility of the contractor to review, at a minimum, once a year, the facility's policies and procedures on suicide prevention and intervention.
4. It should be the responsibility of YSA/contractor to ensure that written policies and procedures, which have been duly reviewed and approved by a psychologist and physician, describe guidelines for the use of all forms of restraints, cavity searches, special housing, and suicide prevention and intervention.
5. It should be the responsibility of YSA/contractor to provide routine and emergency dental care and hygiene under the direction of a licensed dentist. All dental personnel providing services should be licensed, registered, or certified as required by law.

C. **Mail**

1. YSA/contractor should submit written policies and procedures governing juvenile offender correspondence. YSA/contractor should also reference **Part 5, Section G, American Correctional Standards for Juvenile Community Residential Facilities** for additional guidance.
2. There should be no limit on the volume of mail a juvenile offender may send or receive, except where there is clear and convincing evidence to justify such a limit.
3. Incoming and outgoing mail should not be held for more than twenty-four (24) hours, excluding weekends and holidays.
4. Inspection of juvenile offender mail to intercept cash, checks, money orders and contraband should be performed. If contraband is seized, a receipt identifying the item seized should be given to the sender and the addressee. Cash or money orders should be deposited in the juvenile's account and the juvenile should be notified.
5. Written policy and procedures should govern the disposition of juvenile offender contraband.
6. Juvenile offenders should be permitted to send sealed letters from the facility.
7. Written policy and procedures should be in place to ensure that, once the juvenile offender has been released or transferred, all mail is promptly forwarded to the new address. Mail should not to be returned to the sender.
8. YSA/contractor should provide the postage for mailing letters to enable the juvenile to maintain community ties and legal matters.

**JUVENILE OFFENDER RIGHTS**

YSA/contractor should submit policies and procedures that preserve facility safety and protects the constitutional rights of juveniles. Reference should be made to **Part 5, Sections E, F and G, American Correctional Association Standards for Juvenile Community Residential Facilities** as a guide in addressing the following key essential elements and guarantees that all DC juvenile offenders should have:

- A. Full access to the courts without reprisals or penalties in seeking judicial relief.
- B. Access to attorneys, to include confidential contact by telephone, uncensored mail and visits.
- C. Access to legal assistance from law library facilities or from persons with legal training.

- D. Access to writing materials, supplies, publications and other services related to legal matters.
- E. Protection from personal abuse, corporal punishment, personal injury, disease, property damage, and harassment.
- F. Access to recreational opportunities, including outdoor recreation.
- G. Reasonable freedom in personal grooming.
- H. The right to practice their religion, subject only to the limitations necessary to maintain facility security and order.
- I. Visitation, subject only to the limitations necessary to maintain facility security and order.
- J. The right to correspond with persons or organizations subject only to the limitations necessary to maintain facility security, order, and the prevention of further criminal activity.
- K. Equal access to programs and services for male and female juveniles in co-correctional facilities.
- L. Reasonable access to the general public through the communications media, subject only to the limitations necessary to maintain facility order and security and protect the juveniles' rights.

## **CASE MANAGEMENT**

YSA/contractor should submit written policies and procedures that address Intake, Orientation and Assessments. YSA/contractor may reference **American Correctional Association Standards for Juvenile Community Residential Programs**, specifically **Part Five, Sections A,B,C and D**. Additionally, YSA/contractor should ensure that the following guidelines are followed:

- A. This Subcommittee report recommends one case manager for every 25 juveniles. Case management staff should review file materials and conduct an in-person interview on all commitments to determine:
  - 1. Appropriate commitment- to determine proper execution of Judgement & Commitment Order.
  - 2. Security assessment- to determine appropriate placement. A custody review should be performed in all questionable cases and the results promptly referred to the Youth Services Administrator.

3. Medical/Mental/Dental/assessment- to determine immediate and long-term needs.

B. YSA/contractor should provide each offender with a program orientation and a handbook that outlines at least:

- programmatic expectations
- mail
- visitation
- program description
- grievance procedures
- telephone
- facility sanctions

The facility's discipline policy should be discussed with each juvenile offender, and the juvenile offender should sign for receipt copies of facility Rules and Regulations.

C. YSA/contractor should submit written policies and procedures that complies with the District of Columbia requirement that a complete assessment of each juvenile be conducted within two weeks of the juvenile's arrival at the facility. The assessments are to serve as the basis for the development of an Individual Program Plan (IPP). Each juvenile should be assessed by properly trained and qualified staff using appropriate assessment instruments to determine treatment needs. Assessments and Individualized Program Plans should particularly address the needs of juveniles with histories of:

- Learning disabilities
- Physical disabilities
- Substance abuse
- Chemical dependency
- Sexual and physical abuse
- Mental illness
- Sex offenses
- Violent offenses
- Mental retardation
- Emotional disturbance
- Neglect
- Gang involvement
- Fire setting
- Animal cruelty

D. In cases of learning disabilities, the contractor should ensure that an Individualized Educational Plan (IEP) is incorporated into the juvenile's Individualized Program Plan, in accordance with the requirements of the Individuals with Disabilities Education Act. Each IEP should, at a minimum, include:

- Annual goals. These statements are to include measurable goals that are developed in light of both the juvenile's abilities and disabilities.
  - Instructional methodology. To assist teachers in identifying effective teaching strategies.
  - Least Restrictive Environment. To "main stream" juveniles into a regular classroom setting.
- E. YSA/contractor should ensure that, whenever possible the juvenile, counselor, parents and/or guardians are involved in the development and review of the Individualized Program Plan.
- The Individualized Program Plan should include short-term and long-term treatment objectives that not only meet the needs of the juvenile, but also address public protection, juvenile accountability, victim awareness, and the acquisition of skills that should contribute to the reduction of future delinquent or criminal behavior.
- F. YSA/contractor should ensure that a juvenile's progress is reviewed with him/her at least every two weeks and that quarterly Progress Reports are prepared. The quarterly progress report should document the juvenile's participation in programs. A copy of each progress report should be signed by the juvenile and YSA's/contractor's representative (including title). At a minimum, these quarterly progress reports should discuss:
- Individualized Program Plan
  - Objectives/goals
  - Program compliance/re-assessments
  - Incident reports
  - Amenability to treatment
  - Health
  - Release/community reintegration
  - Family visitation
- G. Although juveniles in non-secure juvenile facilities have supervised and unsupervised access to the community, YSA should approve a juvenile's involvement in any activity outside the facility.
- H. YSA/contractor should provide appropriate safeguards and locked fireproof file cabinets for juvenile files, and should abide by the requirements regarding the disclosure of juvenile records.

### **PROGRAMMING OF JUVENILES**

YSA/contractor should submit written policies and procedures that meet the DC's requirement that each DC juvenile in custody receive quality programming. YSA/contractor should reference **all**

**sections in Part 5, American Correctional Association Standards for Juvenile Community Residential Facilities.**

- A. The amount of time devoted to individual activities should be to be determined by the Individualized Program Plan. Formal programming should be meaningful, measurable, and responsive to the educational, cultural, emotional, physical, and spiritual needs of the unique juvenile offender population. It should be required that the formal programming of DC juveniles be provided by trained and qualified staff. All programs, services, and opportunities should be provided without discrimination on the basis of race, creed, or national origin.
- B. YSA/contractor should submit policies and procedures that ensure DC's requirements of quality programming. Regardless of the terminology used to refer to the "Individualized Program Plan", "Individualized Treatment Plan", "Individualized Case Plan", "IPP" or "ICP", the elements of such programming should be written, should be individualized, and should include short-term and long-term objectives which are realistic and achievable. The IPP should be reviewed regularly and updated as objectives are completed. The DC requires Individualized Program Plans for every juvenile in custody. YSA/contractor should ensure that all information obtained as a result of a juvenile's intake, orientation and assessments is incorporated into a formalized Individualized Program Plan that addresses, at minimum the following:
- Education
  - Vocational Training
  - Independent Living Preparation
  - Specialized Treatment Goals and Objectives
  - Counseling and Psychological Services
  - Structured Recreational Activities
  - Religious Services
  - Cultural Services
  - Financial Responsibility
  - Employment
  - Community Service
- C. Educational activities for juvenile offenders should include, but should not be limited to, formal education by the local public school district, whether it be elementary, secondary, college or General Equivalency Development (GED) preparatory classes.

All juveniles who are younger than the state mandated compulsory education age should be in enrolled in an accredited school program.

The educational program should provide each enrolled juvenile with a minimum of four hours of school each week day, 12 months per year. If educational services are based on a nine month academic year by a local school district, it should be the responsibility of the contractor to provide supplemental educational classes to meet the minimum educational

requirements. If educational classes are provided at the facility, such services should be provided in an environment that is conducive to learning by teachers who have the appropriate credentials and/or licensing. Correspondence courses for juveniles with post high school level education should be made available on a case-by-case basis.

YSA/contractor should provide access to library services that, at a minimum, contain:

- Reference materials for completing classroom assignments
- Reference materials for legal matters
- Educational newspapers, magazines, novels and materials for pleasure reading
- Inter-library resources

An internal audit/evaluation should be conducted yearly to determine the effectiveness of the educational program.

- D. Access to vocational training should be provided to juveniles who satisfy the educational age requirement and criteria for certification in a particular vocation. Emphasis should be placed on preparing the juvenile for future employment. Vocational training may be integrated into a juvenile's educational plan.

In assessing the vocational training programs to be offered, the contractor should consider the local, regional and national job market and provide training in areas where skilled workers are in demand.

- E. YSA/contractor should provide an Independent Living Preparation course for juveniles who meet the educational requirements. This course may supplement other educational opportunities, but should not be considered a substitute for formal education, especially for juveniles who are required to attend school due to the mandatory school age. The course should consist of training modules that should prepare the juvenile to make the transition to the community and adulthood. Modules should enable juveniles to acquire various skills, and should include, but should not be limited to:

1. A Career Development Module to prepare juveniles to enter the world of work. In order for that goal to be achieved, each juvenile needs to participate in a job readiness program. At the very minimum this module should teach the following skills:
  - An introduction to the world of work
  - General employment skills
  - Resume preparation
  - Completion of job application
  - Interviewing techniques
  - Job offer assessment
2. A Money Management Module to promote personal financial responsibility. This module should include, but should not be limited to, the following skills:

- Introduction to math fundamentals
  - Instruction on maintaining checking and savings accounts
  - Teaching how to establish and maintain a budget
  - Introduction to thrifty spending techniques
3. A Health Education Module to teach the juvenile the essentials of nutrition, stress management and physical fitness. At a minimum, this module should teach the following skills:
- Meal preparation
  - Consumer education
  - Stress Management
  - Maintaining healthy lifestyle
  - Seeking self-help groups
4. A Cognitive Skills Module to prepare the juvenile to interact with others in the community setting. This module should teach the following:
- Pro-social values and behavior
  - Anger management
  - Conflict resolution
  - Communication
  - Emotional self-control
5. A Crime Victim Awareness Module designed to focus on victim empathy through activities that demonstrate the psychological harm crime victims experience.
6. A Parenting Skills Module to prepare juveniles to accept responsibility for their present or future role as a parent, and as role models for others. At a minimum, this module should teach the following:
- Sex education
  - Child development and care
  - The effects of separation on children
  - Appropriate parental discipline
  - Planning family activities
  - Child and parental interaction
  - School requirements for children
  - Marriage enrichment
7. A Gang Awareness module to enable juveniles to return to a community setting and avoid involvement in gang activities or affiliations. This module should provide the



juvenile with skills necessary to resist gang recruitment efforts and to depend on problem solving techniques.

F. YSA/contractor should provide substance abuse education for all juvenile offenders. Substance abuse education should not be a substitute for chemical dependency treatment. Although videos may supplement the educational aspects, it should not be considered a substitute for actual instructor/juvenile interaction and discussion.

G. YSA/contractor should provide Chemical Dependency Treatment to juveniles whose assessment and/or clinical interview by a licensed chemical dependency counselor indicate a need for this treatment. The Chemical Dependency Treatment program should consist of group, individualized counseling, and drug testing, as deemed necessary by the licensed counselor. At least one hour of group counseling and one hour of individual counseling per week should be mandatory for juvenile offenders who are diagnosed as chemically dependent as a result of a clinical interview and/or assessments. At a minimum, therapists working with chemically dependent juveniles should be a Certified Addictions Counselor. Paraprofessionals with appropriate training and experience may be utilized, provided they are under the supervision of a professional counselor. Records should be kept of all sessions. If the counseling is provided by someone other than contractor staff, the contractor should maintain documentation (e.g., copies of paid invoices) to verify that services have been rendered.

YSA/contractor should maintain a urine surveillance program to detect and deter illegal drug use.

H. YSA/contractor should provide Counseling and Psychological Services that are consistent with the needs of each juvenile based on assessments and/or a clinical diagnosis by a licensed therapist. A juvenile's Individualized Program Plan should address treatment needs in addition to a treatment plan that outlines how those needs are being met for juvenile who are in need of:

- Chemical Dependency Treatment
- Sex Offender Treatment
- Treatment for Emotional Disturbance
- Violent Offender Treatment
- Treatment for Mental Illness

Individual and family counseling should be made available to all juveniles, their families, and significant others, if feasible. Counseling should be provided by qualified professionals who have the appropriate state license, if such should be required. The counseling staff should be able to obtain additional consultation services when the need arises.

The facility should have resources available in the community to assist counseling staff and to receive referrals for assessments when needed.

Staff should be sensitized to and trained in dealing with issues of juvenile sexual, emotional, and physical abuse. Counseling staff should incorporate abuse issues into counseling sessions.

- I. YSA/contractor should provide structured recreational activities which may include, but are not limited to:
  - Supervised indoor and outdoor sports
  - Supervised table games
  - Supervised hobby crafts
- J. YSA/contractor should provide religious services and activities for the juvenile offender population, subject only to the limitations necessary to maintain facility order and security. Provisions should be made to accommodate all universally recognized religions, and to afford access to members of the Clergy, spiritual advisors, publications and religious symbols, and/or opportunities to adhere to dietary, holy day, and other requirements of various faiths. Such provisions should include accessibility to private space for spiritual leaders and religious consultants to conduct pastoral counseling with juvenile offenders.
- K. YSA/contractor should provide opportunities for all juveniles to participate in cultural activities in an effort to enhance their self-image and increase their cultural knowledge. Such opportunities should increase their awareness and appreciation for their own cultural heritage and the cultural heritage of others.

## **RECORDS AND REPORTS**

YSA/contractor should submit written policies and procedures that dictate the confidential management of juvenile offender case records and the reporting of serious incidents. Reference should be made to **Part 1, Section E, American Correctional Standards for Juvenile Community Residential Facilities.**

- A. These records should include:
  - Initial intake information
  - Medical records, when available
  - Signed release of information form
  - Rules of residence and disciplinary policy, signed by the juvenile offender
  - Sentence computation data
  - Documented legal authority to accept the juvenile offender
  - Referrals to other agencies
- B. YSA/contractor should establish procedures to limit access to records to persons and public agencies that have both “a need to know” and “a right to know” and can demonstrate that

access to such information is necessary for juvenile justice purposes. Written guidelines should regulate juvenile access to records.

- C. The contractor should ensure that case records are safeguarded and regularly inventoried.
- D. The juvenile offender should sign a "Release of Information Consent Form" prior to the release of information, and a copy of the signed consent form should be maintained in the individual's case record.

### **ESCAPES, DEATHS, and SIGNIFICANT INCIDENTS**

YSA/contractor should submit policies and procedures that allow for the immediate notification in the event of an escape or death. YSA/contractor should reference **Part 3, Sections A and B of the American Correctional Association Standards for Juvenile Community Residential Facilities.**

Additionally, the contractor should immediately notify YSA by telephone in the event of a significant incident, defined as follows:

1. Major Disturbance: to include riots, civil disturbances and hostage incidents.
2. Death of a juvenile offender.
3. Juvenile offender suicide attempts.
4. Assaults on staff or juvenile offenders resulting in injury.
5. Injury to juvenile requiring medical attention.
6. Any adverse incident that attracts unusual interest or national or local publicity.
7. Food/Work strikes.
8. Escape attempts.
9. Fires involving injury or property damage.
10. Bomb or bomb threats.

### **RELEASE FROM SERVICE OF SENTENCE**

YSA/contractor should submit policies and procedures for preparing juveniles for release back into the community. YSA should reference **Part 5, Section H of the American Correctional Association Standards for Juvenile Community Residential Facilities, Title 18 USC 4281.**

## **SEXUAL ABUSE/ASSAULT PREVENTION AND INTERVENTION**

- A. **GENERAL DEFINITIONS.** Sexual abuse/assault affects both juvenile offenders and correctional employees, and has an adverse impact on the orderly running of correctional facilities.

Sexual abuse/assault/misconduct is defined as verbal or physical conduct of a sexual nature directed toward a juvenile offender by another juvenile offender, a staff member, an agent, or a volunteer of a corrections agency, department or private organization. Sexual misconduct by corrections staff against a juvenile offender should be prohibited by policy. Sexual misconduct, as it relates to juvenile offenders, is any sexual advance, welcome or not, by a juvenile offender, staff member, agent or volunteer of a corrections agency, department or private organization. It is illegal and a violation of law and department's Policy.

- B. **RESPONSIBILITIES.** YSA/contractor should develop and implement a comprehensive staff training program addressing the facility's sexual abuse/assault prevention and intervention program. Written policy, procedure, and practice should provide that all staff receive such training during pre-service training, and on an annual basis as part of the facility's in-service training plan.

YSA/contractor should develop and make available to all juvenile offenders an education program which addresses the subject of sexual abuse/assault. The educational program must include topics such as: recognizing behaviors that are inappropriate, harassing, or assaultive; how to seek protection; privacy rights; medical and psychological programs for victims of abuse; how to make confidential reporting of sensitive issues to facility staff, and local law enforcement.

The contractor should immediately report all sexual misconduct allegations to YSA.

YSA/contractor should establish local intervention protocol that offers the juvenile offender immediate protection from the assailant.

YSA/contractor should have in place procedures which assure a medical examination, and counseling by a clinical psychologist within 24 hours of the incident.

## **JUVENILES UNDER SUPERVISION**

YSA/contractor should develop a plan that should address the process for the intake and release of juvenile in custody as a condition of probation. The following issues are addressed during the juvenile's custody period:

- Individualized Program Plan
- Request for Medical/Mental/Dental Services

- Special Incidents
- Quarterly Reports
- Progress Reports
- Subsistence
- Release Plans
- Instructions from the Court
- Costs for Services
- Visitation

## RESEARCH AND EVALUATION

It should be the responsibility of YSA/contractor to generate and gather and evaluate data for all juveniles committed to it's care, custody and control. YSA/contractor should be aware of the confidentiality requirements, which prevents the release of information to unauthorized persons. YSA/contractor should reference **Part 1, Section F of American Correctional Association Standards for Juvenile Community Residential Facilities** in submitting written policies and procedures that establishes the facility's system(s) for juvenile participation in research, information storage and retrieval, master indexes, daily reports, evaluation, and research.

## INSPECTIONS

YSA/contractor should submit policies and procedures that ensure the performance of services by the agency and contract providers are in accordance with the recommendations outlined in this report. Reference should be made to **Part 3, Section A and B, Part 4, Section B, American Correctional Association Standards for Juvenile Community Residential Facilities** for guidance and direction.

- A. The department of YSA should establish a monitoring schedule consisting of announced and unannounced visits that focus on service delivery and requirements. The results of these monitoring visits are to be brought to the attention of the contract facility's Director/CEO and to the Youth YSA through a narrative monitoring report.
- B. The monitoring report contains the results of the inspection and identifies deviations as findings.
  1. Findings are defined as violations of agency policies and procedures or violation of a service provider contract.
  2. Recommendations are defined as direction, guidance and suggestions in areas in need of improvement, but are not violations.
- D. Additionally, the monitoring report notes the desired corrective action for each finding. In cases of private providers, the facility administrator should be responsible for drafting a response to YSA within the time frame specified. The response should note corrective action

taken and/or in the event constraints are identified, should establish a realistic time frame for completion of corrective action.

- E. YSA "closes out" monitorings of contract providers by letter upon receipt of documentation verifying that all deficiencies have been corrected, or acceptable plans with appropriate time frames have been outlined to correct deficiencies.
- F. Contractor's Failure to respond to a monitoring report or to take action to correct all findings may result in the termination of the contractual agreement.

**References:**

Standards For Juvenile Community Residential Facilities, Third Edition, American Correctional Association.

Standards For Juvenile Training Schools, Third Edition, American Correctional Association.

2000 Statement of Work For Non-Secure Juvenile Facilities, Federal Bureau of Prisons.  
[WWW.bop.gov](http://WWW.bop.gov)